

**REMARKS/ARGUMENTS**

The present Amendment is in response to the Office Action having a mailing date of November 1, 2006. Claims 1-36 are pending in the present Application. Applicant has amended claims 1, 13-16, and 18-25. Consequently, claims 1-36 remain pending in the present Application.

Applicant has amended claims 1, 13, and 25 to correct minor errors. Applicant has also amended claims 13-16 and 18-24 to remove the phrase "the step of". These amendments are seen by Applicant as broadening or cosmetic, and as such, are not subject to the prosecution history estoppel imposed by Festo. For the record, Applicant points out that the Supreme Court in Festo noted that a cosmetic amendment would not narrow the patent's scope and thus would not raise the estoppel bar. Applicant has also amended claims 1, 13, and 25 to recite that the first, second, and third display areas are all displayed together on the interface. Support for the amendment can be found, for example, in FIGS. 3A and 3B, which depict the three areas being shown together. Applicant has also amended the specification to indicate the serial numbers of the cross-reference U.S. patent applications and to correct a spelling error. Accordingly, Applicant respectfully submits that no new matter is added.

In the above-identified Office Action, the Examiner rejected claims 5, 17, and 24 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner objected to the phrase "an equivalent of any of the foregoing" in claims 5, 17, and 29 as indefinite.

Applicant respectfully traverses the Examiner's rejection. Claims 5, 17, and 29 recite the use of "a selectable button in a fifth display region, a mouse click, a keystroke, and an equivalent of any of the foregoing." Applicant respectfully submits that the selectable button, a mouse

click, and a keystroke are well understood in the art. Consequently, equivalents of such items would also be understood by one of ordinary skill in the art. Accordingly, Applicant respectfully submits that claims 5, 17, and 29 are clear and definite.

The Examiner also rejected claims 1-36 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,924,089 (Mocek) in view of U.S. Patent No. 6,016,488 (Bosworth). In so doing, the Examiner cited FIG. 3E, items 378 and 380 as teaching display of the selectable query operator and selectable options responsive to the query operator selection, respectively. The Examiner relied upon Bosworth, col. 3, lines 4-12 as teaching the recited display of columns.

Applicant respectfully traverses the Examiner's rejection. Claim 1 recites a query assist tool providing a dynamic adaptive interface for creating a query search condition. The query assist tool includes means for displaying columns of a table in a first display area, means for displaying selectable query operators in a second display area, and means responsive to query operator selection for displaying selectable options for the query operator in a third display area. The first, second, and third display areas are recited as all being present together on the dynamically adaptive interface. Claims 13 and 25 recite an analogous method and an analogous article or manufacture. The present invention recited in varying scope in claims 1, 13, and 25 thus provides a mechanism for a user to easily and simultaneously view options for building a query and the resultant of selections, such as a query operator. See, for example, FIGS. 3A-3B. Consequently, the user is assisted in building the query.

Mocek in view of Bosworth fail to teach or suggest displaying the columns, the selectable query operators, and, in response to selection of the query operator, the options for the selected query operator together on the dynamically adaptive interface. Although Mocek functions for its intended purpose, Mocek fails to teach or suggest displaying options for the selected query operator

in response to selection of that operator and such that the columns, query operators, and options are all present together. Mocek describes a system that is also used in aiding a user in building a query. To do so, Mocek provides multiple tabs for performing different tasks. See, Mocek, FIGS. 3A-3L. For example, FIG. 3A of Mocek depicts the tab used to select the table(s) for the query being built. Mocek, col. 3, line 52-col. 4, line 26. Other tabs in the system of Mocek may be used to perform other functions. FIG. 3E of Mocek, cited by the Examiner, displays the "condition tab" that allows a user to select conditions for queries. Mocek, col. 4, line 65-col. 5, line 1. To do allow a user to select conditions, Mocek does display a selectable operator, or list of possible conditions, in item 378 of FIG. 3E. However, item 380 is used to *enter* values for the condition. Mocek, col. 5, lines 14-16 and 24-28. Thus, Mocek does not, *in response to* selection of an operator, display selectable options for that operator. In addition, Mocek teaches that different tabs are used for different functions. For example, selection of fields for viewing command results are selected using the fields tab. Mocek, col. 5, line 54-col. 6, line 9 and FIG. 3H. Thus, Mocek fails to teach or suggest displaying selectable options for a selected query operator in response to selection of that query operator. For at least the same reasons, Mocek fails to teach or suggest displaying the columns, selectable query operators and selectable options for the selected query operator together on the query assist tool. Consequently, Mocek alone fails to teach or suggest the query assist tool, method and article of manufacture of claims 1, 13, and 25

Bosworth fails to remedy the defects of Mocek. Bosworth does describe a system that allows a user to build queries. Bosworth, Abstract. The system of Bosworth allows a user to select a table from which to construct a query. Bosworth, col. 3, lines 4-6 and Abstract, lines 4-6. A list box stored for the table and including the columns of the table is displayed and the user allowed to select the desired columns from the list box. Bosworth, col. 3, lines 7-12. Thus, a query may be

built using the selected columns. Although Bosworth does allow selection of columns, Applicant has found no mention in Bosworth of displaying selectable options for a selected query operator in response to selection of that operator. Further, Applicant has found no indication in Bosworth that such selected options can or should be displayed along with the columns or query operator. Thus, Bosworth separately fails to teach or suggest the query assist tool, method and article of manufacture recited in claims 1, 13, and 25.

Because both Mocek and Bosworth fail to teach or suggest displaying selectable options for a selected query operator in response to selection of that operator and displaying such selected options displayed along with the columns or query operator, the combination of Mocek and Bosworth must also fail to teach or suggest such features. Stated differently, if the teachings of Bosworth were added to Mocek, the combination might also allow for selection of columns from a list. For example, an additional tab for column selection might be added to the system of Mocek. This tab may be similar to the table selection tab and may include Bosworth's list box of columns in the table. As a result, the user would be allowed to select particular columns prior to moving to the condition selection tab depicted in the cited FIG. 3E of Mocek. However, the combination would still not display *selectable* options for a selected query operator in response to selection of that operator. Instead, the user would simply be allowed to enter information regarding the query in the condition tab as in the system of Mocek. Consequently, Mocek in view of Bosworth fails to teach or suggest the query assist tool, method, and article of manufacture of claims 1, 13, and 25.

Furthermore, the column selection described in Bosworth may be provided by a different tab when incorporated into the system of Mocek. Consequently, the columns, selectable operator, and selectable options would not be displayed together on the query assist tool. As a result, Mocek in view of Bosworth fails to teach or suggest the query assist tool, method, and article of

manufacture of claims 1, 13, and 25. Accordingly, Applicant respectfully submits that claims 1, 13, and 25 are allowable over the cited references.

Claims 2-12, 14-24, and 26-36 depend upon claims 1, 13, and 25, respectively. Consequently, the arguments herein apply with full force to claims 2-12, 14-24, and 26-36. Accordingly, Applicant respectfully submits that claims 2-12, 14-24, and 26-36 are allowable over the cited references.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

January 30, 2007  
Date

/Janyce R. Mitchell/ Reg. No. 40,095  
Janyce R. Mitchell  
Attorney for Applicant(s)  
(650) 493-4540